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[*From the Domocratic Review.*]

HARRY BLAKE.

A story of Circumstantial Evidence, founded on fact.

BY JOHN QUOD, ESQ.

CHAPTER. I.

Somewhere about the time when the ill feeling, which had long been gathering strength and venom, between England and her American colonies, was ripening into a rebellion, there stood on the road between Albany and Schenectady a fantastic old building, whose style had been hatched on the foggy brain, and whose walls had reared by the sturdy hand, of some Dutch architect. It was a subsantial, antiquated house, time-worn, grey, but not dilapidated; half smothered in trees, with odd-looking wings stretching out in every imaginable direction, with little reference to uniformity or regularity. Sharp gables, with steps to the tops of them, jutted up among the green branches of the trees; crooked chimneys, forked for the benefit of storks, which never came there, and of all possible forms, were perched on the roof; some of them stiff and upright, like stark warriors on guard, and others twisting and bending, like so many inquisitive old fellows, endeavoring to peep into the narrow little windows which garnished the second story. But everything about it was solid, strong, and old. The very barns had a generous look They were low, roomy, and extensive, with broad, wide doors and windows, and had a comfortable, liberal air, not unlike some sturdy, short-legged fellow, with a large stomach and ample breeches pockets.

From the lowest branch of a large sycamore, in front of this house, hunga sign-board, ornamented with the figure of a horse, of a deep blue color—a variety of that animal possibly common in those days, but at present extinct—indicating that it was a place of public entertainment.—Such an intimation, however, was little needed in its own immediate neighborhood, for the Blue Horse was a place noted throughout the whole country round for its good ale, its warm fireside, and its jolly, jovial old landlord, who told a story, drank his ale, and smoked his pipe, with any man in the country; and so he could but get a crony at the bar-room fire, he cared little whether the ale which was making him mellow was ever to be paid for. It is no wonder, then, that the Blue Horse became the delight of the men, and the horror of their wives, who wondered that their husbands would wander off of nights to old Garret Quankenboss's house, and listen to his roystering stories, when they could be so much more usefully employed in splitting wood or rocking the babies to sleep at home. Rumors of their venom reached the ears of old Garret; but he smoked his pipe, closed his eyes, and forgot them. His customers did the same, and, in spite of conjugal opposition, the bar-room of the Blue Horse was rarely empty.

This bar-room was a large barn-like chamber, with a wide, gaping fireplace, and great sturdy fire-dogs squatting in front of it, with huge logs of wood resting on and warming their hinder parts—by the way, an application to warmth in a direction which has latterly become quite common, not only to fire-dogs, but to all frequenters of bar-rooms. Heavy rafters, blackened by time and smoke, crossed the top of the room, and from them projected hooks on which hung hams, hind quarters of smoked beef, baskets, kettles, and various articles of culinary use. Over the chimney were several guns, covered with dust and cobwebs, and which probably had never been used since the landlord was a boy; but on which he now occasionally cast an anxious eye, as rumors of war and strife reached him from the more eastern colonies. Wooden chairs, wooden tables, a wooden dresser, garnished with pewter plates, shining like so many mirrors, and a huge arm-chair in the chimney corner, with Garret Quackenboss's fat body and jolly face in the midst of it, completed the furniture of the room.

It was about five o'clock in the afternoon of a fine bright day in autumn, and in this very room, and in the midst of a group of half-a-dozen men, with the face of the landlord of the Blue Horse shining out, like a red sun, from among them, that we open our narrative. They were all men of the same class as Garret—plain, sturdy, substantial—mostly farmers of the neighborhood, who had loitered in to pick up the gossip of the day; or those who, on their way from Albany or Schenectady, had dropped in to have a talk with old Garret before indulging in the same pleasure with their better halves at home.

The subject, however, which now engrossed them was far from a pleasant one. It seemed so even to the landlord, for he was silent, and turned a deaf ear to all that was going on; it being a fixed rule of his, to interfere in no man's difficulties but his own. And as this, which was a hot dialogue between two of the party, was evidently fast verging into a quarrel, after eying the parties steadily for some time, he thrust his hands into his pockets, and quietly left the room. Before closing the door, he turned and looked solemnly at the disputants, to let them see that, owing to their misconduct, they were about being deprived of the light of his countenance, and then shaking his head, and emitting from his throat a grumbling indication of supreme discontent, he shot the door and went out.

"Come, come—stop this, Wickliffe," said an old man, one of the party, on whom at least Garret's look had produced an effect. "Don't you see you've driven Garret off? This dispute is mere nonsense."

The person whom he addressed was a short, square-built man, with a dark sallow face, with a scar on the nose, and one crossing both his lips, as if he had been slashed there with a knife; a dark black eye, that at times kindled and glowed, until it seemed a red hot ball set in its socket; a low wrinkled forehead, and lips that worked and twilched, baring and showing his teeth like a mastiff preparing to bite. And as he sat there, with his fingers working with anger, and his lips writhing, he was about as ugly a looking fellow as one would wish to see.

He turned slowly to the old man who spoke to him, and snapping his fingers in his face, said, "D—n old Garret! Let him go, let him; and as for this dispute with that boy, it's my affair, not yours; so don't meddle with what don't concern you."

The old man drew back abashed. But the opponent of Wickliffe, a young fellow of three or four and twenty, whose frank, handsome countenance, and glad eye, seemed a warrant of an open, generous disposition, now put in.

"Well, Wickliffe," said he, "if you will quarrel, I won't. I didn't want to drive Garret out of his own bar-room, and you know he never *will* stay where there's quarreling. So drink your ale, and we'll say no more about this matter.

"But I *will* say more about it," retorted the man, half rising from his seat, and at the same time shaking his fist at him, "I *will* say more; who'll hinder me, I'd like to know that? And as for you, Mr. Harry Blake, I *will* say too, that in spite of your big carcase, you have no more spirit than a woman. That is what I'll say."

"Well, well, say it, if you please," replied Blake, going to the fire and seating himself on a bench, in front of it, "I'm sure I don't care."

As he spoke, he laughed; and leaning forward, picked up a chip which lay on the hearth, and commenced stirring the fire with it, at the same time whistling, and paying no attention to what his opponent said, other than by an occasional laugh at his evident anger at being thus foiled. At last, however, Wickliffe, turning to a man who sat next to him muttered something between his teeth, which drew the cry of "Shame! shame!" from those around him, of which Blake caught but the words, "Mary Lincola."—But they bro't him to his feet.

"What's that you say about Mary Lincoln?" said he, advancing towards the man who was looking at him with a grin of satisfaction at having at last aroused him.

"Nothing, nothing," replied several, at the same time rising and placing themselves between him and Wickliffe. "Don't mind him Harry;" don't mind him. He's in a passion, and doesn't mean what he says."

"But I *do* mean it," shouted Wickliffe. "I *do* mean it; and I repeat it, Mary Lincoln is—"

"What!" demanded Blake quickly, his eyes glowing with anger.

Wickliffe eyed him for a moment with a fixed dogged stare; and it might have been shame, or it might have been a feeling of trepidation, at having at length aroused him, and at seeing the powerful frame of Blake, with every muscle strung, ready to leap upon him, that deterred him; for he turned away his head and said—

"No matter what. I've said it, once, and that's enough. They all heard it."

Harry Blake's face, from a deed scarlet, became deadly pale, as he answered: "Wickliffe, I did not hear what you said, but I dare you to repeat it. If you *do*, and there is one word, in it that should not be, this hour will be the bitterest of your whole life. I'm not the man to make a threat and not act up to it.

He stood for a moment, waiting for him to repeat his remark, and then turned on his heel and walked to the furthest end of the room; and as he did so, it was remarked by several who thought nothing of it at the time, but who remembered it long after, when every word then uttered, and every action done, became important, that he ground his teeth together, and seizing a large knife which lay on the table, his teeth still set, drove it into the table, and left it sticking there.

Still his adversary did not seem disposed to give up a dispute which, it was evident, had already been carried too far; for he demanded in an impatient tone—

"What's Mary Lincoln to you, my young fellow, that you bristle up so at the very mention of her name? What is she to you" continued he, becoming still more excited, "be she pure as snow—or-or-or what I will not name! G—d! One would think you were a sweetheart. A glorious pair you'd make! Your red hot temper would be finely balanced against her sweet face and disposition. Sweet—very sweet—and so d—d yielding—and dovelike—that she cannot resist importunity, however improper—ha! ha! It makes me laugh.

His laugh, however, was a short one; for before the words were fairly out of his mouth, Blake was upon him. Exerting his great strength, now doubly increased by fury, he fairly swung the speaker from his feet, and flung him across the room, and against the opposite wall; striking which, he fell at full length on the floor:—For a moment, Wickliffe lay stunned; but recovering himself, he sprung up, and shaking his hand at Blake, and saying "My boy, you may take your measure for a coffin after this; for you'll need one," darted from the room. A speedy opportunity might have been afforded to him to have put his threat into execution, had not several persons sprang forward and seized Blake, as he was following, and held him back by main force.

"Don't stop me," exclaimed he, struggling to get loose and dragging the strong men who held him, across the room. "Let loose your grip, I say," exclaimed he to one who held him by the shoulders with a strength nearly equal to his own. "Let me go, or I'll strike you."

"No, you won't, Harry," replied the other. "even if you do, I'll not let you go on a fool's errand. So there's no use scuffling in that way."

Blake saw that nothing was to be gained by a struggle with so many, and so he said, "Let me go. I'll promise not to follow him. But mark me," said he, as they relinquished their hold, "you have this night heard this scoundrel defame one of the purest girls that ever lived, because he had a grudge against me, and knew that she was to be my wife He shall pay for it, if it cost me my life."

"Come, come, Harry; don't be a boy," said the old man, who had before interfered with Wickliffe. "The man was half drunk and quarrelsome, and saw that you couldn't stomach what he was saying, and so he said it. No one cares for him or his words. We know all that Mary Lincoln hasn't her equal in these parts. God bless her! I only wish she was my own child. Not but what my poor little Kate is a good girl; and kind and affectionate too, poor little Kate is; but yet she's not Mary Lincoln; but Kate is a god girl, though; a very good girl." And the old man shook his head, reproachfully, as if there were a small voice whispering at his heart, that he should not have placed his own poor little Kate next with Mary Lincoln.

Harry Blake's fine face brightened as he looked at the old man; and he took his hand and shook it warmly. "You're right, Adams—you're right. Mary needs no one to speak up for her, I see it. God bless you all for your kind feelings towards her. And now I think of it, Adams, tell Kate that Mary may not be Mary Lincoln long, and may soon want her to stand up with her."

"I will do that, Harry, I will," said the old farmer, rubbing his hands together, "and right glad I am to hear it; but, Harry, you'll not carry this quarrel further—promise me—I can trust you, I know."

Blake, however, laughed, and shook his head. "I'll think of it," said he. "'Beware of rash promises,' was what I learnt from my copy-book. But now I must go. Five miles are between me and my home." As he spoke, he turned from them and left the room, and in short time was heard galloping down the road.

Harry Blake had not been gone many minutes, when one of the company, an old man, dressed in a suit of homespun, who had been sitting at the fire an inactive spectator of the altercation, got up, and, turning to a man who was leaning carelessly against the opposite side of the fireppace, said, "Come, Walton, let's follow Harry's example. Our paths are the same, and we'll go in company; and as you are the youngest you can get the horses."

The person thus address seemed to agree to the proposal, for, after yawning and stretching himself, he went out, and in a few minutes was heard calling from without that the horses were ready.

The road which they pursued was the same already taken by Wickliffe and Blake; and as they had far to go, and it was late, they struck into a brisk trot, so as to pass a dreary portion of it, which ran through waste and forest before the night set in. Part of it was sad and solitary enough, shrouded with tall trees, covered with long weeping moss, trailing from the branches to the earth, and, resembling locks blanched by age. Dense and tangled bushes with giant dead trees, stretching out their leafless branches over them, with here and there a solitary crow, plumingits feathers on them, crowded up to the very path; and in other parts there were miles of pines and cedars, shooting up amid sumachs and dwart bushes.

They had passed that portion of the road, which had been here and there enlivened by farms and orchards, and were trotting briskley between two green walls of swamp and forest—a dreary spot—when suddenly, a sharp, shrill cry rose in the air. It seemed to proceed from the wood, a short distance in front of them.

They were both brave men; but their cheeks grew white, and they instinctively drew in their horses.

"Was that a shout or a scream?" said Grayson, instinctively turning his heavy whip in his hand, so to have its loaded handle ready for a blow.

"It smacked of both," replied Walton. "Hark," said old Caleb Grayson, "there it is again."

Again the same piercing cry shot thro' the air, and went echoing through the woods, until it seemed to die away in a low wail.

"Ther's foul play there," shouted Walton, and striking his horse a heavy blow with his whip, the animal sprang forward at a full gallop. "There it is again.—By God! it's some one begging for mercy."

"Stop, Walton," said old Caleb Grayson, suddenly reining in his horse. "Did you hear the name?"

"No."

"I did, and it was Harry. Can Harry Blake be settling scores with that braggart Wickliffe?"

"God of Heaven! I hope not!" exclaimed Walton. "There was bad blood enough between them to lead to a dozen murders. Go it, Jack," said he again striking his horse, "we'll be on them at the next turn of the road—the bushes hide them now."

A dozen leaps of their horses brought them round the copse of trees, which had shut out a sight that made them shudder. Within twenty yards of them, extended on his back on the ground, lay Wickliffe, stone dead. Bending over him was Blake, grasping a knife, which was driven to the haft in his bosom.

"Good God! Harry Blake taken red-handed in a murder!" exclaimed Grayson, seeing Blake endeavoring to pull the knife from the wound. "Don't stab him again. Oh! Harry, Harry, what have you done!"

Blake let loose his hold on the knife, and started up as they advanced. He looked hastily about him; made one or two irresolute steps; but before he could make up his mind whether to fly or not Walton sprang from his horse, and flung himself upon him. "Harry Blake, I charge you with murder!"

Blake stared at him. "Me with murder! Are you mad? Why, I didn't kill him."

"It won't do, Harry; it won't do," said Walton bitterly, "I saw you with the knife in your grasp—in his bosom—and him dead. Oh! Harry! This is a sad ending of this afternoon's quarrel."

"Will you hear me?" said Blake earnestly, "and you, Caleb—you are older than Walton, and less impetuous, listen to me. I came here but a moment before yourself. I heard a person calling for help; and galloping up, found Wickliffe dead, with this knife driven in his heart; and was endeavoring to pull it out when you came up. This is truth, so help me God! Don't you believe me, Caleb?"

Grason shook his head, as he replied: "Would that I could, Harry; but as I hope to be saved, I saw you stab him, I did."

Harry clasped his hands together, as he asked, "And do you intend to swear to that? and to charge me with this deed?"

"There is no help for it as I see," said Grayson. "The man is murdered. If you didn't murder him, who did? Answer me that."

As he spoke, he proceeded to examine the body, to see if it retained any signs of life; but it was rigid and motionless, with its open eyes staring at the sky, and the teeth hard set, as if the spirit had gone, in agony. The knife had been driven so truly, that it must have passed directly through the heart, and the blood which had gushed from the wound, had already saturated the clothes through and through, and formed a small pool in the road.

"Harry Blake," said the old man, as he drew the knife from the wound, "this is a fearful deed, and the punishment is equally dreadful. You know that I am a magistrate, and must discharge my duty."

"And will you send me to prison on such a charge as this?" repeated Blake bitterly.

The old man was silent.

"Did you ever know me to lie, Caleb?" said he.

"Never, Harry, never!"

"And do you think I'd lie now?"

"I don't know," replied Grayson, "I never before saw you when there was so great risk hanging over you. Oh! Harry, Harry!" continued he, clasping his hands together and looking at the young man, with an expression in which terror and sorrow were strongly blended,—"I had rather met any man than you, here. It will make many a sad heart in this neighborhood. Why did you promise what Adams asked! or, rather, why did you leave us then!"

Blake shook his head, as he answered: "Caleb, what can I say more than I have! If I repeat what I have just told you, you will not believe me. I was coming along this road; heard the screams of this man; galloped to the spot, and found him dead with a knife in his breast. I got off my horse to see what could be done for him, and was drawing out the knife when you came. Had you been two minutes sooner, and I one minute later, I should have made the same charge against you, which you now make against me.

"But the cry—the words: 'Mercy, mercy, Harry!' He uttered your name."

"He did indeed," replied Blake, "he did, indeed; I heard it myself. But he did not say Harry *Blake*. Harry, you know, is not an unusual name."

"It may be—it may be," said Grayson, "but still we must deliver you up; and if you are innocent, God grant that you may prove yourself so; but unless my eyes deceive me, I saw you stab that man."

"If that is your belief, God help me!" said Blake solemnly, "for you must be a witness against me. If I am charged with murder, such a fact sworn to would hang me. But you have not even looked for another murderer than me. He may be hid somewhere about here. Search in the bushes and you may find him yet. I'll not stir."

With a strange reliance on the word of the man, whom they would [not] believe, when he asserted his innocence, they left him, and commenced a search along the road. And there stood the culprit motionless—making no attempt at escape, and watching them with an earnestness, only accounted for by the fact that on their success his life depended. At a short distance from the spot, and in a part of the bank, on the roadside, where Blake said he had not been, there was a foot-print. It was indistinct, but as far as could be judged, when compared with Blake's foot, it coincided in size and form. A little further on, was another, and also the marks of a struggle in the road. Here, too, were the same foot-prints; and these, too, in dimensions, corresponded with the foot of Blake.

"It's singularly like mine," said Blake, placing his foot on the track.

"It had ought to be," said Walton gravely; "unless your foot has altered its shape, within the last five minutes."

Blake made no reply to this insinuation, but stooped looking with an expression of deep trouble at the foot-print. In the meantime, the others continued their search up and down the road, and in the bushes. The marks of the struggle were numerous; but there was no trace of a murderer other than Harry Blake. At last they both came out and stood in the road.

"Do you find nothing?" inquired Blake earnestly.

Grayson shook his head, as he said:

"I didn't expect to; but you wished me to look, Harry, and I had a hard duty to perform; and so I thought I'd humor you first. I knew it was useless."

"Well, well," said Blake, "everything goes sadly against me. You must do your duty. I am your prisoner.

"But," said he, seeing them moving to where the horses were, "what do you intend to do with *that?*" And he pointed to the dead body.

"Catch me a-touching it!" said Walton. "Caleb choose to pull the knife out of him. I wouldn't ha' done it. It's the crowner's business, that is. We'll send him here. Come, Harry. It isn't our fault—but you must come, you know."

Blake, without further remark, mounted his horse; and waiting until they were also on theirs, they rode off in company, taking the direction to the residence of the nearest magistrate, where in due form, Harry Blake was delivered into the mercy of the law, and arrangements were made for the removal of the body of Wickliffe.

CHAPTER II.

About five miles from the tavern mentioned in the last chapter, stood a spacious brick house, one story high, with low eaves extending within reach of the ground, and tall pointed windows, perched along its roof, as a substitute for second story lights. It was a venerable, grey, old house, which seemed to have dozed away, amid the great shadowy trees which crowded about it, becoming hoary and antiquated, yet retaining an air of substantial comfort. Creeping vines, of various kinds, clambered about the windows, and in fissures of the walls, forming a green mat over much of the roof, and stealing up the trunks of the old trees; which formed the home of many a bird, who peeped into the narrow windows, or mounted on one of the topmost branches, which towered so high aloft, that its voice, as it poured forth its song, seemed carolling midway, which was at least half a mile distant. Altogether, it was a rural, snug, dreamy old house; and in it was one of the snuggest rooms, fitted up with little knick-knacks rare in those days—with snowy windows and bed curtains, and a bed as white and snowy as the curtains, fit only to be occupied, as it was, by the most beautiful little fairy of a a girl that one's eyes had ever rested on,—and that was Mary Lincoln.

At about eight o'clock, on the morning of the day succeeding that in which occurred the incidents narrated in the last chapter, and in the small room just mentioned, sat a very beautiful girl, with glossy golden hair, engaged in sewing; tho' it must be confessed that her eye was more often wandering through the window, and along that deep vista-like lane, which her window looked, than fixed upon her work; for it was nearly the hour at which Harry Blake usually contrived, on some pretext or other, to find his way to the house, to see how she was, and ask a few questions, and made a few remarks, the nature of which was best known to herself. That day, however, he was behind his time; but still she felt sure he would come. He had said nothing about it; but she expected him as much as if he had; and was endeavoring to select out half-a-doxen slightly coquettish ways of receiving him, which just then presented themselves to her mind. At first she thought that she would keep him waiting for her—a very little time—just enough to make him more glad to see her, when she came; but then, she would be as much the sufferer as he; for, impatient as he might be below, she would be equally so above; so she abandoned that. Then she thought of taking her sewing in the wide hall, and of stationing herself on one of the old settees which garnished its sides, and that she would be there very leisurely at work, and, of course, would not see him until he came up and spoke to her; or, perhaps, might accidentally go out just as he was coming in. That, too, she abandoned; and then she fancied that she would stroll out and meet him in the lane; and, it must be confessed, that she inclined more towards this plan than either of the others; for she had accidentally met him in this way before; and on these occasions Harry always tied his horse to a tree, and walked with her to the house; and although the distance was short, they sometimes consumed a great deal of time in going it, and he had an opportunity of saying much which not unfrequently he was unable to say at the house; for her father was almost as fond of Harry as his daughter, and had so much to tell him about his crops, and about this thing and that, and so much to ask him, that he sometimes infringed upon time which Mary thought belonged exclusiuely to her; and although she endeavored to bear it cheerfully, yet at times she could not help thinking how snug and happy and comfortable the old gentleman would look if he were only snoring away in the easy arm-chair which stood in the chimney corner, although it was but eight o'clock in the morning.

She threw aside her work, and was rising for the purpose of adopting this last plan, when she heard the dashing of hoofs in the lane. "It's too late," thought she, "but I'll keep him waiting," and down she sat, out of sight of the window, so that she could not see the new comer, for she did not wish Harry should know that she had been watching for him. The noise of the hoofs increased; and the horseman dashed at full gallop to the door. This was not like Harry. He generally came fast enough along the road, but he did not gallop to the door like a madman. It was not respectful, and she would tell him so; still, he might be in a hurry. It argued a strong desire to see her, and that was some palliation. There was evidently a stir below, in front of the house and she even heard his name mentioned. What could be going on there? She was dying to know. There was no way of learning, unless she went to the window, so as to look over the projecting eaves of the house; and then she could be seen. No, no; she would not do that. Still the stir increased, and she caught the sound of voices in earnest conversation; but Harry's voice was not among them. She could hold out no longer. She drew a chair near the window, and stood on it, at some distance from the glass; but still the envious eaves projected so as to shut out all view